



CITY OF INGLEWOOD

OFFICE OF THE CITY MANAGER



DATE: September 30, 2015

TO: Oversight Board to the City of Inglewood as Successor Agency

FROM: City of Inglewood as Successor Agency

SUBJECT: Resolution Approving Award and Execution of Contracts for Century Boulevard Mobility Improvements Projects 1, 2 and 4

RECOMMENDATION:

It is recommended that the Oversight Board of the City of Inglewood adopt a Resolution taking the following actions:

1. Awarding a construction contract (the "Agreement") to the lowest responsive bidder, All American Asphalt, for the Century Boulevard Mobility Improvements Project per Bid No. CB-15-30 (the "Project") in the amount of \$18,118,000 (the "Contract Price") providing for the expenditure of \$16,706,775 in Successor Agency Tax Exempt Bond funds (the "Bonds") for partial funding of the Project subject to the terms of the Agreement; and
2. Authorize the Successor Agency to execute the Agreement providing for a total contract price of \$19,929,800 which includes the Contract Price and a ten percent (10%) contingency in the amount of \$1,811,800 to be funded by the Los Angeles County Metropolitan Transit Authority (LACMTA)

BACKGROUND:

As of February 1, 2012, all California redevelopment agencies were officially dissolved when the State of California enacted Assembly Bill 26 (AB 26). The City of Inglewood as Successor Agency to the former Inglewood Redevelopment Agency ("Successor Agency") is now tasked with winding down the affairs of the former Inglewood Redevelopment Agency (Former Agency), including implementing the administrative activities required by AB 26.

On July 13, 2010, the Mayor and Council Members approved Agreement No. 10-64 with AECOM Technical Services, Inc., as the consultant to provide a comprehensive array of engineering services. The agreement included design and right of way engineering for approximately three miles of street rehabilitation work within the City of Inglewood ("City") along the Century Boulevard corridor. The resulting design plans, specifications and engineering estimates prepared will be used as the construction package to build the Century Boulevard Mobility Improvement Project (Project P212).

Project P212 consists of the re-construction of Century Boulevard from the western city limit at La Cienega Boulevard and extending to the eastern city limit at Van Ness Avenue. This project

will improve the roadway surface condition, bring all traffic lanes and signals to current codes and standards, improve traffic and pedestrian safety and reduce congestion along Century Boulevard. The project scope of work includes: (1) full depth reconstruction of the roadway; (2) signal and lighting modification; (3) improvements for compliance with the Americans with Disabilities Act (ADA) including curb ramps, sidewalks and driveways; (4) storm water improvement; and (5) landscape and green street improvement. The project construction provides for work to be performed and completed in four distinct sub-projects, namely:

- Project 1: La Cienega Boulevard to Felton Avenue
- Project 2: Felton Avenue to Inglewood Avenue
- Project 3: Inglewood Avenue to Doty Avenue
- Project 4: Doty Avenue to Van Ness Avenue

Sub-projects 1, 2 and 4 will be constructed under Bid No. CB-15-30. Sub-project 3 will be constructed under a separate bid and construction contract in the spring of 2016.

DISCUSSION

On May 21, 2015, the City Clerk's Office advertised Project Bid No. CB-15-30 in the Inglewood News. Public Works staff also submitted the bid invitation to five (5) construction trade publications. On July 1, 2015, the City Clerk's Office received and opened six (6) bids. The bid results are summarized in the following table:

No.	Vendor/Address	Bid Amount
1	All American Asphalt, Corona, CA	\$18,118,000.00
2	Sully-Miller Contracting Co., Brea, CA	\$18,413,801.19
3	USS Cal Builders, Stanton, CA	\$18,981,499.31
4	Shawnan, Downey, CA	\$20,092,501.60
5	PALP dba Excel Paving Co., Long Beach, CA	\$20,666,350.99
6	Griffith Company, Santa Fe Springs, CA	\$25,371,279.30

All American Asphalt (Contractor), from Corona, California was the lowest responsive bidder. Staff has verified the Contractor's licenses, references, and satisfactory past performance on similar projects.

Staff has verified that the Fiscal Year 2014/2015 project budget appropriations are adequate for initial activities related to the project. The proposed Fiscal Year 2015/2016 Capital Improvement Program Budget, in combination with Successor Agency bond proceeds, will include adequate appropriations for project costs including construction, project management, construction support services, and City staff job costing.

A Notice-To-Proceed for construction is anticipated to be issued with a work start date of October 2015. Therefore, billable work by the Contractor will not occur until after the start of the City's Fiscal Year 2015-2016 which also coincides with the ROPS 15-16A period. The expenditure of bond proceeds during this ROPS period shall not exceed \$3,521,282 as approved

by the California Department of Finance (“DOF”); pursuant to which, \$3,190,376 will be used to fund the Agreement costs and \$330,906 will be used to fund certain construction management services related to the Project.

The primary funding source for the Project will be the Bonds which have been authorized and approved by DOF for various capital street improvements.

The Successor Agency is presently submitting to DOF pursuant to ROPS 15-16B a request for \$7,631,553 of Bond proceeds to expend on the Project during the period of January 1, 2016 to June 30, 2016. This funding request is based upon the projected progress of the Project and its financial budget needs.

\$1,411,225 of LACMTA funding will be used to fund the balance of the Contract Price and an additional \$1,811,800 will be used for construction contingencies.

FINANCIAL/FUNDING ISSUES AND SOURCES:

Various funding sources for Project P212 are summarized in the following table:

Funding	Amount
Bond proceeds for the Project approved by DOF	16,706,775
L.A. County Metropolitan Transportation Authority to balance contract price	1,411,225
L.A. County Metropolitan Transportation Authority (for Contingency)	1,811,800
Project funding for this phase	\$19,929,800

DESCRIPTION OF ANY ATTACHMENTS:

Attachment No. 1: Contract Agreement

Attachment No. 2: Proposed Resolution

APPROVAL VERIFICATION SHEET

Prepared and Presented By

Louis A. Atwell, P.E., Public Works Director
Danita R. Meshack, Assistant to the Director
Eloy Castillo, P.E., Principal Civil Engineer
Robert M. Braden, Management Consultant
Margarita Cruz, Oversight Board Member

Reviewed and Approved by Royce Jones, Legal Counsel to the Successor Agency.

1 RESOLUTION NO. 15-08 - 11

2
3 A RESOLUTION OF THE OVERSIGHT BOARD TO THE
4 SUCCESSOR AGENCY TO THE FORMER INGLEWOOD
5 REDEVELOPMENT AGENCY APPROVING A CONSTRUCTION
6 CONTRACT ("CONSTRUCTION CONTRACT") WITH ALL
7 AMERICAN ASPHALT ("CONTRACTOR") TO USE CERTAIN
8 2007A-1 BOND PROCEEDS ISSUED PRIOR TO DECEMBER 31,
9 2010 UNDER HEALTH & SAFETY CODE SECTION 34191.4(c)(1)9
10 ("BOND FUNDS"), TO PARTIALLY FUND THE CENTURY
11 BOULEVARD MOBILITY IMPROVEMENT PROJECTS 1, 2 and 4.

12 WHEREAS, Assembly Bill x1 26 ("AB 26") and AB x 27 ("AB 27") were passed
13 by the State Legislature on June 15, 2011, and signed by the Governor on
14 June 28, 2011, and
15

16 WHEREAS, by enactment of Part 1.85 of Division 24 of the Health and Safety
17 Code, subject to all reservations herein stated, the Inglewood Redevelopment Agency
18 was dissolved as February 1, 2012, such that the Inglewood Redevelopment Agency is
19 now deemed to be the former redevelopment agency under Health and Safety Code
20 section 34173(a); and
21

22 WHEREAS, Health and Safety Code section 34173(a) designates successor
23 agencies as successor entities to former redevelopment agencies; and

24 WHEREAS, on January 10, 2012, by Resolution H12-01/12-02, the City Council
25 of the City of Inglewood, subject to all reservation stated in the subject Resolution
26 declared the City of Inglewood, as Successor Agency to the former Inglewood
27 Redevelopment Agency (sometimes referred to herein as the "Successor Agency");
28

1 **WHEREAS**, the California Supreme Court in California Redevelopment
2 Association v. Matosantos, Case No. S194861 upheld the constitutionality of AB 26 and
3 found AB 27 to be unconstitutional;

4 **WHEREAS**, AB 26 requires that there shall be an oversight board ("Oversight
5 Board) established for each of the former California redevelopment agency's successor
6 agencies to supervise the activities of the Successor Agency and the wind down of the
7 dissolved Redevelopment Agency's affairs pursuant to AB 26;and

8 **WHEREAS**, upon satisfaction of the conditions in AB 26, specifically, Health &
9 Safety Code section 34179.7, the Successor Agency received its finding of completion
10 on December 29, 2014; and

11 **WHEREAS**, in furtherance of Health & Safety Code section 34191.4(c)(1), the
12 bond proceeds derived from the former Inglewood Redevelopment Agency bonds
13 issued before December 31, 2010 shall be used by the Successor Agency for the
14 purposes for which the bonds were sold and the Successor Agency desires to expend
15 available bond proceeds to partially fund the construction of the Century Boulevard
16 Mobility Improvement Projects 1, 2 and 4 (the "PROJECT") in accordance with the
17 terms of the Construction Contract ; and

18 **WHEREAS**, the SUCCESSOR AGENCY received its finding of completion on
19 December 29, 2014 from the California Department of Finance and, pursuant to
20 California Health & Safety Code section 34191.4(c), desires to expend an amount not-
21 to-exceed amount of Eighteen Million, One Hundred and Eighteen Thousand Dollars
22 (\$18,118,000)(the "COMPENSATION AMOUNT") to perform the work and services to
23 complete the PROJECT; pursuant to which, up to Three Million One Hundred Ninety
24
25
26
27
28

1 Thousand Three Hundred and Seventy-Six Dollars (\$3,190,376) shall be made
2 available for expenditure by the Successor Agency to fund the Project for the period of
3 time commencing with the Effective Date of the Construction Contract through
4 December 31, 2015 with any remaining amount of the BOND FUNDS required for
5 PROJECT funding made available for expenditure by the Successor Agency in the
6 amounts and within the times determined by the Department of Finance ("DOF") as
7 provided in future Recognized Obligation Payment Schedules ("ROPS") submitted to
8 and approved by DOF.
9

10
11 **WHEREAS**, at all relevant times prior to receipt of its finding of completion
12 under AB X1 26, the BOND FUNDS were allocated and purposed to be expended for
13 the construction of the PROJECT.

14 **WHEREAS**, the BOND FUNDS alone are, insufficient to fully fund the
15 COMPENSATION AMOUNT and additional funding is provided for in the
16 CONSTRUCTION CONTRACT to fund the difference between COMPENSATION
17 AMOUNT and the BOND FUNDS authorized by DOF for the PROJECT.
18

19 **WHEREAS**, the SUCCESSOR AGENCY desires to commit the BOND
20 FUNDS for expenditure to only partially fund the COMPENSATION AMOUNT and the
21 PROJECT costs in accordance with the terms and conditions of the CONSTRUCTION
22 CONTRACT.
23

24 **WHEREAS**, in conformance with California Health & Safety Code section
25 34191.4(c), the use of the BOND FUNDS for payment of the COMPENSATION
26 AMOUNT is consistent with the purposes of the 2007A-1 bond issuance of the former
27 Inglewood Redevelopment Agency.
28

1 **WHEREAS**, the SUCCESSOR AGENCY agrees to allocate and reserve the
2 BOND PROCEEDS and use them only for COMPENSATION AMOUNT required for
3 the PROJECT in accordance with the CONSTRUCTION CONTRACT which shall be
4 fully executed by the CITY, SUCCESSOR AGENCY, and CONTRACTOR.
5

6 **NOW, THEREFORE**, the Oversight Board Successor Agency to the Inglewood
7 Redevelopment Agency does hereby resolve as follows:

8 Section 1. The Recitals set forth above are true and correct and are
9 incorporated into the Resolution by this reference.
10

11 Section 2. The Oversight Board approves the expenditure of BOND FUNDS
12 for the PROJECT by the Successor Agency subject to the funding limitations and
13 restrictions set forth in the CONSTRUCTION CONTRACT, and directs the authorized
14 signatory of the Successor Agency to negotiate, finalize, and execute the
15 CONSTRUCTION CONTRACT for the funding and development of the PROJECT in
16 accordance with the requirements of the CONSTRUCTION CONTRACT.
17

18 Section 3. The Oversight Board directs staff to submit copies of the Resolution
19 and its attachments to the State Department of Finance and the Controller's office for
20 tier review and approval.
21

22 Section 4. The Oversight Board Secretary shall certify as to the
23 adoption of this Resolution.

24 Section 5. This Resolution shall take effect immediately upon adoption.

25 Section 6. The Secretary of the Oversight Board shall certify as to the adoption of
26 this Resolution.
27
28

1 **PASSED, APPROVED AND ADOPTED** by the Oversight Board to the
2 Successor Agency of the former Inglewood Redevelopment Agency, at a regularly
3 scheduled public meeting held this 28TH day of SEP, 2015.
4

5
6 
James T. Butts, Chairman

7
8 ATTEST:

9
10 
11 Secretary
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28